

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Southern District of Texas

Case number (if known): Chapter 11

☐ Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name 5D Cargo Express, Inc.

2. All other names debtor used in the last 8 years

Include any assumed names, trade names, and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN)

8 1 - 5 1 3 2 8 3 9

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

805 Hallmark Dr.

Number Street

Laredo, TX 78045

City State ZIP Code

Webb

County

Number Street

City State ZIP Code

Location of principal assets, if different from principal place of business

Number Street

City State ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))☐ Partnership (excluding LLP)☐ Other. Specify:

Debtor 5D Cargo Express, Inc.

Case number (if known) _____

Name

7. Describe debtor's business**A. Check one:**

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.5 3 2 4**8. Under which chapter of the Bankruptcy Code is the debtor filing?**

A debtor who is a "small business debtor" must check the first subbox. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box

Check one:

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. **Check all that apply:**

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11.** If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**☒ No

☐ Yes. District _____ When _____ Case number _____
MM / DD / YYYY

District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?☒ No

☐ Yes. Debtor _____ Relationship _____
District _____ When _____
MM / DD / YYYY

Case number, if known _____

List all cases. If more than 1, attach a separate list.

Debtor 5D Cargo Express, Inc.
Name

Case number (if known) _____

11. Why is the case filed in *this* district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard?

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other _____

Where is the property? _____

Number Street

City

State

ZIP Code

Is the property insured?

☐ No

☐ Yes. Insurance agency _____
Contact name _____
Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds?

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

☒ 1-49 ☐ 50-99 ☐ 1,000-5,000 ☐ 5,001-10,000 ☐ 25,001-50,000 ☐ 50,000-100,000
☐ 100-199 ☐ 200-999 ☐ 10,001-25,000 ☐ More than 100,000

15. Estimated assets

☐ \$0-\$50,000 ☐ \$1,000,001-\$10 million ☐ \$500,000,001-\$1 billion
☐ \$50,001-\$100,000 ☒ \$10,000,001-\$50 million ☐ \$1,000,000,001-\$10 billion
☐ \$100,001-\$500,000 ☐ \$50,000,001-\$100 million ☐ \$10,000,000,001-\$50 billion
☐ \$500,001-\$1 million ☐ \$100,000,001-\$500 million ☐ More than \$50 billion

Debtor 5D Cargo Express, Inc.
Name

Case number (if known) _____

16. Estimated liabilities

- | | | |
|--|---|--|
| <input type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input checked="" type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures**WARNING --**

Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

- The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
- I have been authorized to file this petition on behalf of the debtor.
- I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 03/15/2024
MM/ DD/ YYYY

X/s/ Carlos F. Grajeda

Signature of authorized representative of debtor

Carlos F. Grajeda

Printed name

Title President**18. Signature of attorney****X**/s/ Steven G. Cennamo

Signature of attorney for debtor

Date 03/15/2024

MM/ DD/ YYYY

Steven G. Cennamo

Printed name

Law Office of Cennamo & Werner

Firm name

8546 Broadway Ste 100

Number Street

San Antonio

City

TX

State

78217-6345

ZIP Code

(210) 905-0529

Contact phone

scennamo@cennamowernerlaw.com

Email address

04045600

Bar number

TX

State

**United States Bankruptcy Court
Southern District of Texas**

In re 5D Cargo Express, Inc.

Debtor(s)

Case No. _____

Chapter _____

11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for 5D Cargo Express, Inc. in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

☒ None [Check if applicable]

03/15/2024

Date

/s/ Steven G. Cennamo

Steven G. Cennamo

Signature of Attorney or Litigant

Counsel for 5D Cargo Express, Inc.

Bar Number: 04045600

Law Office of Cennamo & Werner

8546 Broadway Ste 100

San Antonio, TX 78217-6345

Phone: (210) 905-0529

Fax: (210) 905-4373

Email: scennamo@cennamowernerlaw.com

Fill in this information to identify the case:

Debtor name 5D Cargo Express, Inc.

United States Bankruptcy Court for the:

Southern District of Texas

Case number (if known): _____

☐ Check if this is an amended filing**Official Form 202****Declaration Under Penalty of Perjury for Non-Individual Debtors****12/15**

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING – Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *A Summary of Assets and Liabilities for Non-Individuals* (Official Form 206A-Summary)
- ☐ *Amended Schedule* _____
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 03/15/2024
MM/ DD/ YYYY

X/s/ Carlos F. Grajeda

Signature of individual signing on behalf of debtor

Carlos F. Grajeda

Printed name

President

Position or relationship to debtor

Fill in this information to identify the case:

Debtor name 5D Cargo Express, Inc.

United States Bankruptcy Court for the:

Southern District of Texas

Case number (if known): _____

☐ Check if this is an amended filing**Official Form 204****Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders****12/15**

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1	Ascentium Capital 23970 Highway 59 North Kingwood, TX 77339-1535				\$947,325.46	\$732,684.37	\$214,641.09
2	Bank of America 3030 Cross Creek Parkway 2nd Floor Grosse Pointe, MI 48236				\$780,495.29	\$563,778.53	\$216,716.76
3	Daimler Truck Financial 4372 Heritage Parkway, Suite 40 Fort Worth, TX 76177				\$2,037,781.94	\$1,606,178.02	\$431,603.92
4	First One Business Bank 17335 Golf Parkway Brookfield, WI 53045				\$903,269.55	\$653,504.70	\$249,764.85
5	Hyundai Translead Trailer Finance 655 Business Center Drive, Suite 250 Horsham, PA 19044				\$90,641.96	\$71,844.82	\$18,797.14
6	Midland Equipment 1801 Park 270 Drive Suite 200 Saint Louis, MO 63146				\$360,750.64	\$315,031.90	\$45,718.74
7	Santander Consumer USA Attn: Bankruptcy 3 Huntington Quad Suite 101N Melville, NY 11747				\$512,351.97	\$467,586.00	\$44,765.97
8	Sumitomo Mitsui Finance 666 Third Avenue 8th Floor New York, NY 10017				\$1,919,728.10	\$1,919,728.00	\$0.10

Debtor 5D Cargo Express, Inc.
Name _____

Case number (if known) _____

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							

**IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION**

IN RE: **5D Cargo Express, Inc.**

CASE NO

CHAPTER 11

VERIFICATION OF CREDITOR MATRIX

The above named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date 03/15/2024

Signature /s/ Carlos F. Grajeda
Carlos F. Grajeda, President

Arvest Bank
8000 Taylor Avenue
Fort Smith, AR 72916

Ascentium Capital
23970 Highway 59 North
Kingwood, TX 77339-1535

Bank of America
3030 Cross Creek Parkway 2nd Floor
Grosse Pointe, MI 48236

BMO Harris Bank
3925 Fountianhius BLV Ne 1c
Cedar Rapids, IA 52411

Citibank
10201 CENTURION PARKWAY N #100
Jacksonville, FL 32256

Daimler Truck Financial
4372 Heritage Parkway, Suite 40
Fort Worth, TX 76177

Dariana Investments
805 Hallmark Dr.
Laredo, TX 78045

Dell Financial Solutions
Partner
PO Box BOX 825736
Philadelphia, PA 19182-5736

Diesel Leasing and Financial
9111 North Freeway
Houston, TX 77037

First One Business Bank
17335 Golf Parkway
Brookfield, WI 53045

GM Financial
P.O. Box 183692
Arlington, TX 76096-3692

Hyundai Translead Trailer
Finance
655 Business Center Drive, Suite 250
Horsham, PA 19044

Internal Revenue Service
Centralized Insolvency Office
P.O. Box 7346
Philadelphia, PA 19101-7346

Law Office of Cennamo &
Werner
8546 Broadway Ste 100
San Antonio, TX 78217-6345

Midland Equipment
1801 Park 270 Drive Suite 200
Saint Louis, MO 63146

PNC Financial
655 Business Center Drive Suite 250
Horsham, PA 19044

Santander Consumer USA
Attn: Bankruptcy
3 Huntington Quad Suite 101N
Melville, NY 11747

SBC Transportation Inc
832 Hallmark Dr.
Laredo, TX 78045

Siemens EDI
40 Liberty Boulevard
Malvern, PA 19355-1415

Sumitomo Mitsui Finance
666 Third Avenue 8th Floor
New York, NY 10017

TBK Bank SSB
12700 Park Central Dr
Dallas, TX 75251

The Huntington National Bank
17 S High St Columbus
Columbus, OH 43215

Translease
1400 W 62nd Avenue
Denver, CO 80221

United States Attorney
General
Department of Justice
950 Pennsylvania Avenue N.W
Washington, DC 20530

United States Attorney, Civil
Process Clerk
601 N.W. Loop 410 Ste 600
San Antonio, TX 78216

Volvo VTFNA Inc Lease/rent
8003 Piedmont Triad Parkway
Greensboro, NC 27409

Wabash
655 Business Center Drive Suite 250
Horsham, PA 19044

Webb County Tax Assessor
Collector
110 Victoria St Ste 107
Laredo, TX 78040